

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JAMES CURKIN, On Behalf of Himself and
All Others Similarly Situated,

Plaintiff,

vs.

HOWARD SOLOMON, et al.,

Defendants.

VINCENT VINCI, Individually and On Behalf
of All Others Similarly Situated,

Plaintiff,

vs.

FOREST LABORATORIES, INC., et al.,

Defendants.

JAMES SHANNON JACKSON, On Behalf of
Himself and All Others Similarly Situated,

Plaintiff,

vs.

HOWARD SOLOMON, et al.,

Defendants.

Civil Action No. 05-CV-2937-RMB

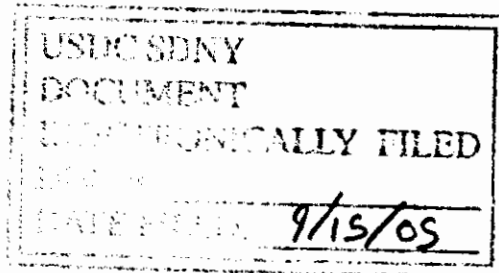
CLASS ACTION

Civil Action No. 05-CV-2939-KMK

CLASS ACTION

Civil Action No. 05-CV-2930-RMB

CLASS ACTION



MEMO ENDORSED
As amended

[Caption continued on following page.]

STIPULATION AND ~~PROPOSED~~ ORDER CONCERNING CONSOLIDATION,
APPOINTMENT OF LEAD PLAINTIFFS, APPROVAL OF LEAD PLAINTIFFS'
SELECTION OF LEAD COUNSEL, AND BRIEFING SCHEDULE

RMB

	x	
PATRICK JUIN K. LIM, On Behalf of	:	Civil Action No. 05-CV-3209-RMB
Himself and All Others Similarly Situated,	:	
	:	<u>CLASS ACTION</u>
Plaintiff,	:	
	:	
vs.	:	
	:	
HOWARD SOLOMON, et al.,	:	
	:	
Defendants.	:	
	:	
	:	
AMS FUND, INC., On Behalf of Himself and	:	Civil Action No. 05-CV-4403-UA
All Others Similarly Situated,	:	
	:	<u>CLASS ACTION</u>
Plaintiff,	:	
	:	
vs.	:	
	:	
HOWARD SOLOMON, et al.,	:	
	:	
Defendants.	:	
	:	
	x	

WHEREAS, the above-entitled actions raise common issues of law and fact;

WHEREAS, on June 29, 2005, this Court assented to the appointment of Teamsters Affiliates Pension Plan, UNITE H.E.R.E. Staff Retirement Fund, and PACE Industry Union-Management Pension Fund as Lead Plaintiffs;

WHEREAS, on June 29, 2005, this Court approved Lead Plaintiffs' selection of Lead Counsel, the law firm of Lerach Coughlin Stoia Geller Rudman & Robbins LLP;

WHEREAS, on August 12, 2005, plaintiffs filed an Amended Complaint per this Court's instruction on June 29, 2005;

THEREFORE, the parties, through their respective counsel, stipulate as follows:

1. The above-entitled actions shall be consolidated as *In re Forest Laboratories, Inc. Securities Litigation*, Civil Action No. 05-CV-2827-RMB;

2. The Teamsters Affiliates Pension Plan, UNITE H.E.R.E. Staff Retirement Fund, and PACE Industry Union-Management Pension Fund shall act as Lead Plaintiffs;

3. Lead Plaintiffs' selection of Lead Counsel, the law firm of Lerach Coughlin Stoia Geller Rudman & Robbins LLP, shall act as Lead Counsel for plaintiffs;

4. Lead Plaintiffs' Amended Complaint for Violation of Federal Securities Laws, filed on August 12, 2005 in the *Curkin* action above, shall be deemed the operative complaint in the consolidated action; and

5. Defendants' Motion to Dismiss shall be briefed according to the following schedule:

November 7, 2005 – Opening brief due;

December 9, 2005 – Opposition brief due;

~~January 23, 2006~~ – Reply brief due.

December 28, '05

+
Subject to
page limits
RMB

IT IS SO STIPULATED

DATED: September 14, 2005

LERACH COUGHLIN STOIA GELLER
RUDMAN & ROBBINS LLP
SAMUEL H. RUDMAN (SR-7957)
DAVID A. ROSENFELD (DR-7564)
MARIO ALBA, JR. (MA-7240)


SAMUEL H. RUDMAN

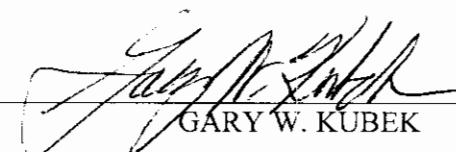
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[Proposed] Lead Counsel for Plaintiffs

DATED: September 14, 2005

DEBEVOISE & PLIMPTON LLP
GARY W. KUBEK


GARY W. KUBEK

919 Third Avenue
New York, NY 10022
212/909-6000
212/909-6836

Counsel for Defendants

* * *

ORDER

IT IS SO ORDERED.

DATED: _____

9/15/05

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THE HONORABLE RICHARD M. BERMAN
UNITED STATES DISTRICT JUDGE